UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 August 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This action is responsive to Applicant's Amendments and Remarks filed on

August 23, 2006.

2.   Claims 1-18 are currently pending. Claims 1 and 10 are independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a
person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived
by the manner in which the invention was made.

4.   **Claims 1-8, 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Dave Raggett, "Clean up your Web Pages with HTML Tidy", 4th version

(August 2000), pgs. 1-21 ("HTML Tidy"), in view of Balnaves, U.S. Patent

Application Publication No. 2006/0085734, in further view of Douglis et al.

("Douglis"), U.S. Patent Application Publication No. 2004/0260676.

Regarding independent claim 1:

HTML Tidy teaches a method of converting a structured document (XML or HTML) into a well-formed HTML document – i.e., XHTML (see pg. 2 – Introduction to Tidy and pg. 7, 2nd paragraph from bottom).

> ➢ *parsing an original structured document, (...);*
> *identifying each first level element contained within the original structured document;*
> *generating a first level XHTML content fragment corresponding to each first level element; and*

HTML Tidy teaches parsing an original structured document (see pg. 19: i.e., HTML and XML Parsers) and mapping the elements contained in the original structured document with the XHTML content fragment in order to perfect the code (see pg. 2 – Examples of TIDY at work). HTML TIDY then builds a clean parse tree and generates output for the code data (see pg. 4 – Layout style; pg. 11, last paragraph).

> ➢ *wherein the first level XHTML fragments are generated independent of the application that created the structured document.*

HTML Tidy is an independent software application that generates XHTML independent of the application that created the original structured document (see pg. 2, paragraph 1).

HTML Tidy does not explicitly teach:

> ➢ *wherein the original structured document is one of a SGML or XML document*

However, Balnaves teaches parsing an XML document for the motivational

purpose of converting an XML document to XHTML content (see paragraph [0087]).

Since both references are from the same field of endeavor (conversion of markup

language code), the motivational purpose of converting an XML document to XHTML

content as disclosed by Balnaves would have been recognized in the pertinent art of

HTML Tidy. It would have been obvious at the time the invention was made to a person

having ordinary skill in the art to modify the teaching of HTML Tidy with the teachings of

Balnaves to include parsing an XML document.

HTML Tidy implicitly, but does not explicitly teach:

> *storing each of the first level XHTML fragments;*

However, Douglis teaches techniques for detecting fragments in electronic

documents and storing the fragments in a memory cache (see paragraphs [0119-

0122]):

Since both references are from the same field of endeavor, the motivational

purpose of an efficient means of accessing and requesting data information while

avoiding redundant storage of large fragments as disclosed by Douglis would have

been recognized in the pertinent art of HTML Tidy. It would have been obvious at the

time the invention was made to a person having ordinary skill in the art to modify the

teaching of HTML Tidy with the teachings of Douglis to include storing each of the first

level XHTML fragments.

Regarding independent claim 10, please refer to the rationale relied upon to

reject independent claim 1, which contains substantially similar subject matter as

independent claim 10.

Regarding dependent claims 2 and 11, HTML Tidy teaches parsing each first

level element (see pg. 4 – Layout style; pg. 11, last paragraph; see pg. 19: i.e., HTML

and XML Parsers).

Regarding dependent claims 3 and 12, HTML Tidy teaches determining

whether each first level element contains a second level element (see pg. 19: i.e.,

HTML and XML Parsers; pg. 2 – Examples of TIDY at work; pg. 4 – Layout style; pg.

11, last paragraph. In traversing a hierarchical structured document, a parser inherently

determines whether there exists another level of elements beyond the first level).

Regarding dependent claims 4 and 13, HTML Tidy teaches *generating second*

level XHTML content fragment corresponding to each element in the set of second level

elements. HTML Tidy teaches traversing a structured document (see pg. 19: i.e., HTML

and XML Parsers) and mapping the elements contained in the original structured

document with the XHTML content fragment in order to perfect the code (see pg. 2 –

Examples of TIDY at work). HTML TIDY then builds a clean parse tree and generates

output for the code data (see pg. 4 – Layout style; pg. 11, last paragraph).

Regarding dependent claims 5 and 14, HTML Tidy teaches a method of

parsing and converting a structured document to XHTML, but does not explicitly teach:

storing each of the second level XHTML fragments.

However, Douglis teaches techniques for detecting fragments in electronic documents and storing the fragments in a memory cache (see paragraphs [0119-0122]).

Since both references are from the same field of endeavor, the motivational purpose of an efficient means of accessing and requesting data information while avoiding redundant storage of large fragments as disclosed by Douglis would have been recognized in the pertinent art of HTML Tidy. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of HTML Tidy with the teachings of Douglis to include storing each of the second level XHTML fragments.

Regarding dependent claims 6, 7, 15, and 16, HTML Tidy teaches determining and inserting the appropriate DOCTYPE element as per the W3C recommendations (see pg. 4, 3rd paragraph). Furthermore, although not explicitly taught by HTML tidy, it was commonly known to those of ordinary skill in the art and would have been obvious at the time the invention was made to a person having ordinary skill in the art that a standalone document declaration can be included in a structured document (i.e., XML) for the motivational purpose of indicating whether the document contains external markup declarations that affect the content of the document.

Regarding dependent claims 8 and 17, HTML Tidy teaches opening the structured document (see pg. 9 – How to run Tidy, *et seq.*).

5.   Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Dave Raggett, "Clean up your Web Pages with HTML Tidy", 4th version

(August 2000), pgs. 1-21 ("HTML Tidy"), in view of Balnaves, U.S. Patent

Application Publication No. 2006/0085734, in view of Douglis et al. ("Douglis"),

U.S. Patent Application Publication No. 2004/0260676, in further view of Fong et

al. ("Fong"), U.S. Patent Application Publication No. 2005/0166141.

        Regarding dependent claims 9 and 18, HTML Tidy, in view of Douglis and

Balnaves, teach traversing a structured document (see pg. 19: i.e., HTML and XML

Parsers) and mapping the elements contained in the original structured document with

the XHTML content fragment in order to perfect the code (see pg. 2 – Examples of TIDY

at work), but does not explicitly teach generating a list of cross references including

each element having a cross reference identification.

        However, Fong teaches maintaining a history list of elements that have been

referenced previously (see paragraphs [0018], [00141-143]). Since the references are

from the same field of endeavor, the motivational purpose of providing a more efficient

and faster user interface for mapping structured information to different structured

information by reference as disclosed by Fong would have been recognized in the

pertinent art of HTML Tidy, in view of Douglis and Balnaves. It would have been

obvious at the time the invention was made to a person having ordinary skill in the art to

modify the teaching of HTML Tidy, in view of Douglis and Balnaves, with the teachings

of Fong to include generating a list of cross references including each element having a

cross reference identification.

Response to Arguments

6.   Applicant's arguments with respect to the newly amended claims filed on August

23, 2006 have been considered but are moot in view of the new ground(s) of rejection.

The new ground of rejection includes the addition of the Balnaves publication,

which is being relied upon for teaching the newly added limitation, "wherein the original

structured document is one of a SGML document or XML document". Applicant's first

argument focuses on the prior art's failure to teach this particular limitation. One of

ordinary skill in the art would have been motivated at the time of the invention to arrive

at the instant invention by combining HTML Tidy, Balnaves, and Douglis.

Applicant further contends that HTML Tidy fails to teach parsing the original

structured document to identify each element in the structured document and that HTML

Tidy fails to generate a first level XHTML content fragment corresponding to each first

level element.

Examiner respectfully disagrees. HTML Tidy expressly teaches parsing an original structured document (see pg. 19: i.e., HTML and XML Parsers) and mapping the elements contained in the original structured document with the XHTML content fragment in order to perfect the code (see pg. 2 – Examples of TIDY at work). It is inherent, and at the very least obvious to one of ordinary skill in the art, that the parsing process identifies each element in the structured document. Each element must be identified in order for HTML TIDY to build a clean parse tree and generate corresponding output for the XHTML code data as taught in the HTML Tidy reference (see pg. 4 – Layout style; pg. 11, last paragraph).

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-

4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PNB
11/11/06

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